REMARKS

The present application was filed on January 31, 2001 with claims 1-48. Claims 1, 15 and 32 are independent claims. In the outstanding Office Action dated February 2, 2004, the Examiner: (i) rejected claims 1-12, 14-26, 28-30, 32-43 and 45-47 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,946,046 to You et al. (hereinafter "You"); and (ii) rejected claims 1-48 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,648,789 to Beadles et al. (hereinafter "Beadles").

In this response, Applicants: (i) amend independent claims 1, 15 and 32; and (ii) traverse the §102(b) rejections for at least the following reasons.

With regard to the issue of whether claims 1-12, 14-26, 28-30, 32-43 and 45-47 are anticipated under 35 U.S.C. §102(b) by You, the Office Action contends that You discloses all of the claim limitations recited in the subject claims. Applicants respectfully assert that You fails to teach or suggest all of the limitations in claims 1-12, 14-26, 28-30, 32-43 and 45-47, for at least the reasons presented below.

It is well-established law that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Applicants assert that the rejection based on You does not meet this basic legal requirement, as will be explained below.

The present invention, for example, as recited in independent claim 1, recites a method of processing a signal wherein at least a portion of the signal includes one or more closed captions representing audio content associated with a program whose visual content is being viewed by a user. The method comprises the steps of: obtaining, directly from an originating source, the signal including the one or more closed captions in a portable processing device; autonomously processing the signal in the portable processing device so as to generate a display signal representative of the one or more closed captions in the obtained signal; and providing the display signal from the portable processing device to a portable display, operatively coupled to the device, for presentation to the user

so that the user may view the visual content of the program and view the one or more closed captions in accordance with the portable display. Independent claims 15 and 32 recite similar limitations.

As mentioned above, while Applicants believe that the claims as originally filed are patentable over the references cited in the present Office Action, independent claims 1, 15 and 32 were amended to further clarify the subject matter of the invention. More particularly, such claims were amended to emphasize that the obtained signal including one or more closed captions representing audio content associated with a program whose visual content is being viewed by a user is obtained in the portable processing device directly from an originating source, and that the processing of the signal in the portable processing device so as to generate a display signal representative of the one or more closed captions in the obtained signal is autonomous. Support for such amendments may be found throughout the present specification, for example, see page 3, line 4, through page 7, line 8.

Further, as illustratively explained in the present specification between page 3, line 4, through page 7, line 8:

> Accordingly, with a closed caption receiving device according to the invention, a person may come to a place where a program is being broadcasted on television without closed captioning services. The person may then set the device to the same channel as the program being broadcasted and see closed captions associated with the audio content of the program on the local wearable display system. Preferably, rather then transmitting all the broadcast information, the receiving device transmits only the closed captions for display on the local wearable display system. Thus, the user is able to simultaneously look at the television screen while reading the closed captions. However, it is to be appreciated that content other than the closed captions may be extracted and displayed on the local wearable display system, if so desired.
>
> In yet another illustrative aspect, the present invention provides a portable and universal closed caption receiving device for receiving a signal including closed captions from a transcription service while the user views a program on a video/audio content display system in which no closed captioning capability is available such as, for example, one that may be associated with a personal computer or a movie theater. Again, in this case, the closed caption receiving device is used in conjunction with a separate display system carried by the user such as, for example, a wearable head mounted display. The closed captioning device receives the transcription services including closed captions from the transcription service provider while the user watches a movie or some other program in a theater or on a computer (e.g., a digital video disc) in which no closed captioning capability is available.

> In accordance with the invention, when a person sees that there is a movie being displayed on a computer screen or in a movie theater, the person may contact the transcription service and request a transcription of the program by name. The transcription service transmits the closed captions synchronously with events in the program. Several methods may be employed to synchronize the closed caption with the events in the program. For example, an operator associated with the service may be able to listen to the dialogue from the program so as to ensure that the transcription coincides with the program. Again, the closed captions, themselves, may be transmitted through a wireless network to the receiving device which then provides them to the user's wireless wearable head mounted display. Of course, the connection may be hardwired. In any case, this allows the person to look at the computer or theater screen through the wearable display and see the program while reading the captions on the wearable display comfortably.
>
> It is to be appreciated that a stenographic service may be used in conjunction with the invention to type what is being broadcasted or shown in those cases when closed captioning is not readily available, e.g., live broadcasts. Thus, for instance, rather than requesting a prestored transcription, the user may request a real-time stenographic transcription of a live program.

You discloses a caption processing device and method for a display unit with a separate display. More particularly, as stated at column 2, lines 26-32, You provides a caption processing device for a display unit, wherein a caption display (e.g., an auxiliary display) separate from a monitor (e.g., television) which displays the video signal is included, so that the screen displaying the video signal is not covered by caption processing. However, as explained in the Background section of the present application, such systems suffer several problems. One problem with this arrangement is that the closed caption extractor does not operate independently from, or autonomously with respect to, the television. Another problem is that the auxiliary display is not portable.

Thus, You does not teach or suggest obtaining, directly from an originating source, the signal including the one or more closed captions in a portable processing device; autonomously processing the signal in the portable processing device so as to generate a display signal representative of the one or more closed captions in the obtained signal; and providing the display signal from the portable processing device to a portable display, operatively coupled to the device, for presentation to the user so that the user may view the visual content of the program and view the one or more closed captions in accordance with the portable display, as recited in the claimed invention.

For at least these reasons, Applicants respectfully assert that independent claims 1, 15 and 32 are patentable over You. In addition, it is asserted that the claims which depend from independent claims 1, 15 and 32, namely, 2-14, 16-31 and 33-48, are patentable over You not only for the reasons given above but also because such claims recite patentable subject matter in their own right. By way of example only, claims 2 and 16 recite that the visual content of the program is presented on a content display system and the portable processing device and the portable display are independent of the content display system. Again, there is no such autonomy in You.

With regard to the issue of whether claims 1-48 are anticipated under 35 U.S.C. §102(b) by Beadles, the Office Action contends that Beadles discloses all of the claim limitations recited in the subject claims. Applicants respectfully assert that Beadles fails to teach or suggest all of the limitations in claims 1-48, for at least the reasons presented below.

Applicants assert that the rejection based on Beadles does not meet the basic legal requirement set forth in *Verdegaal Bros. v. Union Oil Co. of California* (cited above), as will be explained below.

While Beadles discloses a wearable caption display, Beadles does not teach or suggest obtaining, directly from an originating source, the signal including the one or more closed captions in a portable processing device; autonomously processing the signal in the portable processing device so as to generate a display signal representative of the one or more closed captions in the obtained signal, as recited in the claimed invention. That is, in the claimed invention, the portable processing device obtains the signal including the one or more closed captions directly from an originating source, and autonomously processes the signal therein.

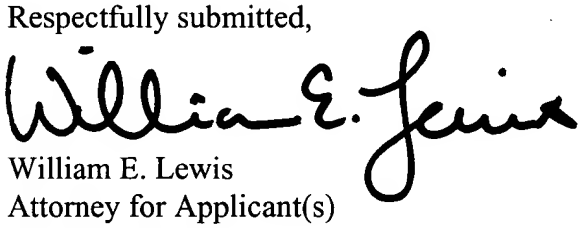
In Beadles, a caption encoder and transmitter is associated with the system that displays the visual content. For example, Figure 11 in Beadles shows that a Cinema Digital Sound System 130 has a hardwired link to Caption Encoder and Transmitter 120. Caption Encoder and Transmitter 120 transmits captioning information to Wearable Caption Display 110. Therefore, while Beadles discloses the wearable caption display, the original information is not obtained in a portable processing device as in the claimed invention, but rather the wearable caption display of Beadles receives already-processed information with extracted captioning. Therefore, Beadles also does not

autonomously process the signal in a portable processing device so as to generate a display signal representative of the one or more closed captions in the obtained signal, as recited in the claimed invention.

For at least these reasons, Applicants respectfully assert that independent claims 1, 15 and 32 are patentable over Beadles. In addition, it is asserted that the claims which depend from independent claims 1, 15 and 32, namely, 2-14, 16-31 and 33-48, are patentable over Beadles not only for the reasons given above but also because such claims recite patentable subject matter in their own right. Again, by way of example only, claims 2 and 16 recite that the visual content of the program is presented on a content display system and the portable processing device and the portable display are independent of the content display system. Again, there is no such autonomy in Beadles.

In view of the above, Applicants believe that claims 1-48 are in condition for allowance, and respectfully request withdrawal of the §102(b) rejections.

Respectfully submitted,



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